

Senate Study Bill 3245

SENATE/HOUSE FILE _____
BY (PROPOSED GOVERNOR'S
BUDGET BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to and making appropriations to certain state
2 departments, agencies, funds, and certain other entities,
3 providing for regulatory authority, and other related matters,
4 and making penalties applicable.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
6 TLSB 5010XG 82
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1 1 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES.
1 2 1. There is appropriated from the general fund of the
1 3 state to the department of administrative services for the
1 4 fiscal year beginning July 1, 2008, and ending June 30, 2009,
1 5 the following amounts, or so much thereof as is necessary, to
1 6 be used for the purposes designated:
1 7 a. For salaries, support, maintenance, and miscellaneous
1 8 purposes:
1 9 \$ 6,389,186
1 10 b. For the payment of utility costs:
1 11 \$ 3,824,800
1 12 Notwithstanding section 8.33, any excess funds appropriated
1 13 for utility costs in this lettered paragraph shall not revert
1 14 to the general fund of the state at the end of the fiscal year
1 15 but shall remain available for expenditure for the purposes of
1 16 this lettered paragraph during the succeeding fiscal year.
1 17 c. For distribution to other governmental entities:
1 18 \$ 1,000,000
1 19 Moneys appropriated in this lettered paragraph shall be
1 20 separately accounted for in a distribution account and shall
1 21 be distributed to other governmental entities based upon a
1 22 formula established by the department to pay for services
1 23 provided during the fiscal year to such other governmental
1 24 entities by the department associated with the integrated
1 25 information for Iowa system.
1 26 d. For costs associated with the development of the human
1 27 resources payroll system:
1 28 \$ 427,000
1 29 2. Members of the general assembly serving as members of
1 30 the deferred compensation advisory board shall be entitled to
1 31 receive per diem and necessary travel and actual expenses
1 32 pursuant to section 2.10, subsection 5, while carrying out
1 33 their official duties as members of the board.
1 34 3. Any funds and premiums collected by the department for
1 35 workers' compensation shall be segregated into a separate
2 1 workers' compensation fund in the state treasury to be used
2 2 for payment of state employees' workers' compensation claims
2 3 and administrative costs. Notwithstanding section 8.33,
2 4 unencumbered or unobligated moneys remaining in this workers'
2 5 compensation fund at the end of the fiscal year shall not
2 6 revert but shall be available for expenditure for purposes of
2 7 the fund for subsequent fiscal years.
2 8 Sec. 2. REVOLVING FUNDS. There is appropriated to the
2 9 department of administrative services for the fiscal year
2 10 beginning July 1, 2008, and ending June 30, 2009, from the
2 11 revolving funds designated in chapter 8A and from internal
2 12 service funds created by the department such amounts as the
2 13 department deems necessary for the operation of the department
2 14 consistent with the requirements of chapter 8A.
2 15 Sec. 3. FUNDING FOR IOWACCESS.
2 16 1. Notwithstanding section 321A.3, subsection 1, for the
2 17 fiscal year beginning July 1, 2008, and ending June 30, 2009,

2 18 the first \$1,000,000 collected and transferred by the
2 19 department of transportation to the treasurer of state with
2 20 respect to the fees for transactions involving the furnishing
2 21 of a certified abstract of a vehicle operating record under
2 22 section 321A.3, subsection 1, shall be transferred to the
2 23 IowaAccess revolving fund established by section 8A.224 and
2 24 administered by the department of administrative services for
2 25 the purposes of developing, implementing, maintaining, and
2 26 expanding electronic access to government records as provided
2 27 by law.

2 28 2. All fees collected with respect to transactions
2 29 involving IowaAccess shall be deposited in the IowaAccess
2 30 revolving fund and shall be used only for the support of
2 31 IowaAccess projects.

2 32 Sec. 4. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
2 33 CHARGE. For the fiscal year beginning July 1, 2008, and
2 34 ending June 30, 2009, the monthly per contract administrative
2 35 charge which may be assessed by the department of
3 1 administrative services shall be \$2 per contract on all health
3 2 insurance plans administered by the department.

3 3 Sec. 5. AUDITOR OF STATE. There is appropriated from the
3 4 general fund of the state to the office of the auditor of
3 5 state for the fiscal year beginning July 1, 2008, and ending
3 6 June 30, 2009, the following amount, or so much thereof as is
3 7 necessary, to be used for the purposes designated:
3 8 For salaries, support, maintenance, and miscellaneous
3 9 purposes:
3 10 \$ 1,249,178

3 11 The auditor of state may retain additional full-time
3 12 equivalent positions as is reasonable and necessary to perform
3 13 governmental subdivision audits which are reimbursable
3 14 pursuant to section 11.20 or 11.21, to perform audits which
3 15 are requested by and reimbursable from the federal government,
3 16 and to perform work requested by and reimbursable from
3 17 departments or agencies pursuant to section 11.5A or 11.5B.
3 18 The auditor of state shall notify the department of
3 19 management, the legislative fiscal committee, and the
3 20 legislative services agency of the additional full-time
3 21 equivalent positions retained.

3 22 Sec. 6. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
3 23 is appropriated from the general fund of the state to the Iowa
3 24 ethics and campaign disclosure board for the fiscal year
3 25 beginning July 1, 2008, and ending June 30, 2009, the
3 26 following amount, or so much thereof as is necessary, for the
3 27 purposes designated:
3 28 For salaries, support, maintenance, and miscellaneous
3 29 purposes:
3 30 \$ 527,122

3 31 Sec. 7. DEPARTMENT OF COMMERCE. There is appropriated
3 32 from the general fund of the state to the department of
3 33 commerce for the fiscal year beginning July 1, 2008, and
3 34 ending June 30, 2009, the following amounts, or so much
3 35 thereof as is necessary, for the purposes designated:

4 1 1. ALCOHOLIC BEVERAGES DIVISION
4 2 For salaries, support, maintenance, and miscellaneous
4 3 purposes:
4 4 \$ 2,079,509

4 5 2. BANKING DIVISION
4 6 a. Banking. For salaries, support, maintenance, and
4 7 miscellaneous purposes:
4 8 \$ 8,200,316
4 9 b. Professional licensing and regulation. For salaries,
4 10 support, maintenance, and miscellaneous purposes:
4 11 \$ 945,982

4 12 3. CREDIT UNION DIVISION
4 13 For salaries, support, maintenance, and miscellaneous
4 14 purposes:
4 15 \$ 1,631,740

4 16 4. INSURANCE DIVISION
4 17 a. For salaries, support, maintenance, and miscellaneous
4 18 purposes:
4 19 \$ 4,857,123
4 20 b. The insurance division may reallocate authorized full-
4 21 time equivalent positions as necessary to respond to
4 22 accreditation recommendations or requirements. The insurance
4 23 division expenditures for examination purposes may exceed the
4 24 projected receipts, refunds, and reimbursements, estimated
4 25 pursuant to section 505.7, subsection 7, including the
4 26 expenditures for retention of additional personnel, if the
4 27 expenditures are fully reimbursable and the division first
4 28 does both of the following:

4 29 (1) Notifies the department of management, the legislative
4 30 services agency, and the legislative fiscal committee of the
4 31 need for the expenditures.
4 32 (2) Files with each of the entities named in subparagraph
4 33 (1) the legislative and regulatory justification for the
4 34 expenditures, along with an estimate of the expenditures.
4 35 c. The insurance division shall allocate \$10,000 from the
5 1 examination receipts for the payment of its fees to the
5 2 national conference of insurance legislators.
5 3 5. UTILITIES DIVISION
5 4 a. For salaries, support, maintenance, and miscellaneous
5 5 purposes:
5 6 \$ 7,573,402
5 7 b. The utilities division may expend additional funds,
5 8 including funds for additional personnel, if those additional
5 9 expenditures are actual expenses which exceed the funds
5 10 budgeted for utility regulation and the expenditures are fully
5 11 reimbursable. Before the division expends or encumbers an
5 12 amount in excess of the funds budgeted for regulation, the
5 13 division shall first do both of the following:
5 14 (1) Notify the department of management, the legislative
5 15 services agency, and the legislative fiscal committee of the
5 16 need for the expenditures.
5 17 (2) File with each of the entities named in subparagraph
5 18 (1) the legislative and regulatory justification for the
5 19 expenditures, along with an estimate of the expenditures.
5 20 6. CHARGES == TRAVEL
5 21 Each division and the office of consumer advocate shall
5 22 include in its charges assessed or revenues generated an
5 23 amount sufficient to cover the amount stated in its
5 24 appropriation and any state-assessed indirect costs determined
5 25 by the department of administrative services. The director of
5 26 the department of commerce shall review on a quarterly basis
5 27 all out-of-state travel for the previous quarter for officers
5 28 and employees of each division of the department if the travel
5 29 is not already authorized by the executive council.
5 30 Sec. 8. DEPARTMENT OF COMMERCE == PROFESSIONAL LICENSING
5 31 AND REGULATION BUREAU. There is appropriated from the housing
5 32 improvement fund of the department of economic development to
5 33 the bureau of professional licensing and regulation of the
5 34 banking division of the department of commerce for the fiscal
5 35 year beginning July 1, 2008, and ending June 30, 2009, the
6 1 following amount, or so much thereof as is necessary, to be
6 2 used for the purposes designated:
6 3 For salaries, support, maintenance, and miscellaneous
6 4 purposes:
6 5 \$ 62,317
6 6 Sec. 9. GOVERNOR AND LIEUTENANT GOVERNOR. There is
6 7 appropriated from the general fund of the state to the offices
6 8 of the governor and the lieutenant governor for the fiscal
6 9 year beginning July 1, 2008, and ending June 30, 2009, the
6 10 following amounts, or so much thereof as is necessary, to be
6 11 used for the purposes designated:
6 12 1. GENERAL OFFICE
6 13 For salaries, support, maintenance, and miscellaneous
6 14 purposes for the general office of the governor and the
6 15 general office of the lieutenant governor:
6 16 \$ 2,674,462
6 17 2. TERRACE HILL QUARTERS
6 18 For salaries, support, maintenance, and miscellaneous
6 19 purposes for the governor's quarters at Terrace Hill:
6 20 \$ 492,593
6 21 3. ADMINISTRATIVE RULES COORDINATOR
6 22 For salaries, support, maintenance, and miscellaneous
6 23 purposes for the office of administrative rules coordinator:
6 24 \$ 158,873
6 25 4. NATIONAL GOVERNORS ASSOCIATION
6 26 For payment of Iowa's membership in the national governors
6 27 association:
6 28 \$ 80,600
6 29 5. STATE=FEDERAL RELATIONS
6 30 For salaries, support, maintenance, and miscellaneous
6 31 purposes:
6 32 \$ 131,222
6 33 Sec. 10. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY.
6 34 1. There is appropriated from the general fund of the
6 35 state to the governor's office of drug control policy for the
7 1 fiscal year beginning July 1, 2008, and ending June 30, 2009,
7 2 the following amount, or so much thereof as is necessary, to
7 3 be used for the purposes designated:
7 4 a. For salaries, support, maintenance, and miscellaneous

7 5 purposes, including statewide coordination of the drug abuse
7 6 resistance education (D.A.R.E.) programs or similar programs:
7 7 \$ 346,731
7 8 b. For support of multijurisdictional drug enforcement
7 9 programs:
7 10 \$ 1,400,000
7 11 If federal funding is received for multijurisdictional drug
7 12 enforcement programs during the fiscal year beginning July 1,
7 13 2008, and ending June 30, 2009, of the moneys appropriated in
7 14 this lettered paragraph an amount equal to the federal funding
7 15 received less \$2,252,000 shall revert to the general fund of
7 16 the state at the end of the fiscal year. The programs shall
7 17 provide for at least a 25 percent local match.
7 18 2. The governor's office of drug control policy, in
7 19 consultation with the department of public health, and after
7 20 discussion and collaboration with all interested agencies,
7 21 shall coordinate substance abuse treatment and prevention
7 22 efforts in order to avoid duplication of services.
7 23 Sec. 11. DEPARTMENT OF HUMAN RIGHTS. There is
7 24 appropriated from the general fund of the state to the
7 25 department of human rights for the fiscal year beginning July
7 26 1, 2008, and ending June 30, 2009, the following amounts, or
7 27 so much thereof as is necessary, to be used for the purposes
7 28 designated:
7 29 1. CENTRAL ADMINISTRATION DIVISION
7 30 For salaries, support, maintenance, and miscellaneous
7 31 purposes:
7 32 \$ 356,535
7 33 Of the moneys appropriated in this subsection, \$15,000
7 34 shall be used for expenses related to Iowa's participation in
7 35 the Abraham Lincoln bicentennial commission.
8 1 2. DEAF SERVICES DIVISION
8 2 For salaries, support, maintenance, and miscellaneous
8 3 purposes:
8 4 \$ 421,700
8 5 The fees collected by the division for provision of
8 6 interpretation services by the division to obligated agencies
8 7 shall be disbursed pursuant to the provisions of section 8.32,
8 8 and shall be dedicated and used by the division for continued
8 9 and expanded interpretation services.
8 10 3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE
8 11 DIVISION
8 12 For salaries, support, maintenance, and miscellaneous
8 13 purposes:
8 14 \$ 153,093
8 15 4. PERSONS WITH DISABILITIES DIVISION
8 16 For salaries, support, maintenance, and miscellaneous
8 17 purposes:
8 18 \$ 217,221
8 19 5. LATINO AFFAIRS DIVISION
8 20 For salaries, support, maintenance, and miscellaneous
8 21 purposes:
8 22 \$ 207,035
8 23 6. STATUS OF WOMEN DIVISION
8 24 For salaries, support, maintenance, and miscellaneous
8 25 purposes, including the Iowans in transition program and the
8 26 domestic violence and sexual assault-related grants:
8 27 \$ 367,203
8 28 7. STATUS OF AFRICAN-AMERICANS DIVISION
8 29 For salaries, support, maintenance, and miscellaneous
8 30 purposes:
8 31 \$ 187,066
8 32 Of the moneys appropriated in this subsection, the division
8 33 may use a portion for projects and programs of the division,
8 34 including the covenant project, cultural competency project,
8 35 sensitivity training program, and the study circle project.
9 1 8. STATUS OF NATIVE AMERICANS DIVISION
9 2 For travel reimbursement for members of the commission on
9 3 the status of Native Americans:
9 4 \$ 6,000
9 5 9. DEVELOPMENT ASSESSMENT AND RESOLUTION PROGRAM
9 6 For support, maintenance, and miscellaneous purposes:
9 7 \$ 10,000
9 8 10. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION
9 9 For salaries, support, maintenance, and miscellaneous
9 10 purposes:
9 11 \$ 1,587,333
9 12 The criminal and juvenile justice planning advisory council
9 13 and the juvenile justice advisory council shall coordinate
9 14 their efforts in carrying out their respective duties relative
9 15 to juvenile justice.

9 16 11. SHARED STAFF
9 17 The divisions of the department of human rights shall
9 18 retain their individual administrators, but shall share staff
9 19 to the greatest extent possible.
9 20 Sec. 12. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
9 21 appropriated from the general fund of the state to the
9 22 department of inspections and appeals for the fiscal year
9 23 beginning July 1, 2008, and ending June 30, 2009, the
9 24 following amounts, or so much thereof as is necessary, for the
9 25 purposes designated:
9 26 1. ADMINISTRATION DIVISION
9 27 For salaries, support, maintenance, and miscellaneous
9 28 purposes:
9 29 \$ 2,087,331
9 30 2. ADMINISTRATIVE HEARINGS DIVISION
9 31 For salaries, support, maintenance, and miscellaneous
9 32 purposes:
9 33 \$ 708,962
9 34 3. INVESTIGATIONS DIVISION
9 35 For salaries, support, maintenance, and miscellaneous
10 1 purposes:
10 2 \$ 1,599,591
10 3 4. HEALTH FACILITIES DIVISION
10 4 For salaries, support, maintenance, and miscellaneous
10 5 purposes:
10 6 \$ 2,498,437
10 7 5. EMPLOYMENT APPEAL BOARD
10 8 For salaries, support, maintenance, and miscellaneous
10 9 purposes:
10 10 \$ 58,117
10 11 The employment appeal board shall be reimbursed by the
10 12 labor services division of the department of workforce
10 13 development for all costs associated with hearings conducted
10 14 under chapter 91C, related to contractor registration. The
10 15 board may expend, in addition to the amount appropriated under
10 16 this subsection, additional amounts as are directly billable
10 17 to the labor services division under this subsection and to
10 18 retain the additional full-time equivalent positions as needed
10 19 to conduct hearings required pursuant to chapter 91C.
10 20 6. CHILD ADVOCACY BOARD
10 21 For foster care review and the court appointed special
10 22 advocate program, including salaries, support, maintenance,
10 23 and miscellaneous purposes:
10 24 \$ 2,751,058
10 25 a. The department of human services, in coordination with
10 26 the child advocacy board and the department of inspections and
10 27 appeals, shall submit an application for funding available
10 28 pursuant to Title IV-E of the federal Social Security Act for
10 29 claims for child advocacy board administrative review costs.
10 30 b. The court appointed special advocate program shall
10 31 investigate and develop opportunities for expanding fund=
10 32 raising for the program.
10 33 c. Administrative costs charged by the department of
10 34 inspections and appeals for items funded under this subsection
10 35 shall not exceed 4 percent of the amount appropriated in this
11 1 subsection.
11 2 Sec. 13. RACING AND GAMING COMMISSION.
11 3 1. RACETRACK REGULATION
11 4 There is appropriated from the general fund of the state to
11 5 the racing and gaming commission of the department of
11 6 inspections and appeals for the fiscal year beginning July 1,
11 7 2008, and ending June 30, 2009, the following amount, or so
11 8 much thereof as is necessary, to be used for the purposes
11 9 designated:
11 10 For salaries, support, maintenance, and miscellaneous
11 11 purposes for the regulation of pari-mutuel racetracks:
11 12 \$ 2,827,266
11 13 2. EXCURSION BOAT AND GAMBLING STRUCTURE REGULATION
11 14 There is appropriated from the general fund of the state to
11 15 the racing and gaming commission of the department of
11 16 inspections and appeals for the fiscal year beginning July 1,
11 17 2008, and ending June 30, 2009, the following amount, or so
11 18 much thereof as is necessary, to be used for the purposes
11 19 designated:
11 20 For salaries, support, maintenance, and miscellaneous
11 21 purposes for administration and enforcement of the excursion
11 22 gambling boat and gambling structure laws:
11 23 \$ 3,171,229
11 24 Sec. 14. USE TAX APPROPRIATION. There is appropriated
11 25 from the use tax receipts collected pursuant to sections
11 26 423.26 and 423.27 prior to their deposit in the road use tax

11 27 fund pursuant to section 423.43 to the administrative hearings
11 28 division of the department of inspections and appeals for the
11 29 fiscal year beginning July 1, 2008, and ending June 30, 2009,
11 30 the following amount, or so much thereof as is necessary, for
11 31 the purposes designated:
11 32 For salaries, support, maintenance, and miscellaneous
11 33 purposes:
11 34 \$ 1,623,897
11 35 Sec. 15. DEPARTMENT OF MANAGEMENT. There is appropriated
12 1 from the general fund of the state to the department of
12 2 management for the fiscal year beginning July 1, 2008, and
12 3 ending June 30, 2009, the following amounts, or so much
12 4 thereof as is necessary, to be used for the purposes
12 5 designated:
12 6 For salaries, support, maintenance, and miscellaneous
12 7 purposes:
12 8 \$ 3,178,337
12 9 Of the moneys appropriated in this section, the department
12 10 shall use a portion for enterprise resource planning,
12 11 providing for a salary model administrator, conducting
12 12 performance audits, and for the department's LEAN process.
12 13 Sec. 16. ROAD USE TAX APPROPRIATION. There is
12 14 appropriated from the road use tax fund to the department of
12 15 management for the fiscal year beginning July 1, 2008, and
12 16 ending June 30, 2009, the following amount, or so much thereof
12 17 as is necessary, to be used for the purposes designated:
12 18 For salaries, support, maintenance, and miscellaneous
12 19 purposes:
12 20 \$ 56,000
12 21 Sec. 17. DEPARTMENT OF REVENUE. There is appropriated
12 22 from the general fund of the state to the department of
12 23 revenue for the fiscal year beginning July 1, 2008, and ending
12 24 June 30, 2009, the following amounts, or so much thereof as is
12 25 necessary, to be used for the purposes designated:
12 26 For salaries, support, maintenance, and miscellaneous
12 27 purposes:
12 28 \$ 26,472,699
12 29 Of the funds appropriated pursuant to this section,
12 30 \$400,000 shall be used to pay the direct costs of compliance
12 31 related to the collection and distribution of local sales and
12 32 services taxes imposed pursuant to chapters 423B and 423E.
12 33 The director of revenue shall prepare and issue a state
12 34 appraisal manual and the revisions to the state appraisal
12 35 manual as provided in section 421.17, subsection 17, without
13 1 cost to a city or county.
13 2 The department of revenue shall submit a written report to
13 3 the general assembly by January 1, 2009, concerning the
13 4 department's progress in developing a system to track tax
13 5 credits.
13 6 Sec. 18. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is
13 7 appropriated from the motor fuel tax fund created by section
13 8 452A.77 to the department of revenue for the fiscal year
13 9 beginning July 1, 2008, and ending June 30, 2009, the
13 10 following amount, or so much thereof as is necessary, to be
13 11 used for the purposes designated:
13 12 For salaries, support, maintenance, and miscellaneous
13 13 purposes for administration and enforcement of the provisions
13 14 of chapter 452A and the motor vehicle use tax program:
13 15 \$ 1,305,775
13 16 Sec. 19. SECRETARY OF STATE. There is appropriated from
13 17 the general fund of the state to the office of the secretary
13 18 of state for the fiscal year beginning July 1, 2008, and
13 19 ending June 30, 2009, the following amounts, or so much
13 20 thereof as is necessary, to be used for the purposes
13 21 designated:
13 22 1. ADMINISTRATION AND ELECTIONS
13 23 For salaries, support, maintenance, and miscellaneous
13 24 purposes:
13 25 \$ 1,370,063
13 26 The state department or state agency which provides data
13 27 processing services to support voter registration file
13 28 maintenance and storage shall provide those services without
13 29 charge.
13 30 2. BUSINESS SERVICES
13 31 For salaries, support, maintenance, and miscellaneous
13 32 purposes:
13 33 \$ 2,012,018
13 34 Sec. 20. SECRETARY OF STATE FILING FEES REFUND.
13 35 Notwithstanding the obligation to collect fees pursuant to the
14 1 provisions of section 490.122, subsection 1, paragraphs "a"
14 2 and "s", and section 504.113, subsection 1, paragraphs "a",

14 3 "c", "d", "j", "k", "l", and "m", for the fiscal year
14 4 beginning July 1, 2008, and ending June 30, 2009, the
14 5 secretary of state may refund these fees to the filer pursuant
14 6 to rules established by the secretary of state. The decision
14 7 of the secretary of state not to issue a refund under rules
14 8 established by the secretary of state is final and not subject
14 9 to review pursuant to the provisions of the Iowa
14 10 administrative procedure Act, chapter 17A.

14 11 Sec. 21. TREASURER. There is appropriated from the
14 12 general fund of the state to the office of treasurer of state
14 13 for the fiscal year beginning July 1, 2008, and ending June
14 14 30, 2009, the following amount, or so much thereof as is
14 15 necessary, to be used for the purposes designated:
14 16 1. For salaries, support, maintenance, and miscellaneous
14 17 purposes:
14 18 \$ 1,027,970

14 19 As a condition of this appropriation, the treasurer of
14 20 state shall work with the department of revenue to use sales
14 21 tax application data to notify businesses, by mail, that the
14 22 requirement to report abandoned intangible personal property
14 23 to the state treasurer pursuant to sections 556.9 and 556.11
14 24 applies to gift certificates.

14 25 The office of treasurer of state shall supply clerical and
14 26 secretarial support for the executive council.

14 27 2. For deposit in the watershed improvement fund created
14 28 in section 466A.2:
14 29 \$ 5,000,000

14 30 Notwithstanding section 8.33, moneys appropriated in this
14 31 subsection that remain unencumbered or unobligated at the
14 32 close of the fiscal year shall not revert but shall remain
14 33 available for expenditure for the purposes designated until
14 34 the close of the succeeding fiscal year.

14 35 Sec. 22. ROAD USE TAX APPROPRIATION. There is
15 1 appropriated from the road use tax fund to the office of
15 2 treasurer of state for the fiscal year beginning July 1, 2008,
15 3 and ending June 30, 2009, the following amount, or so much
15 4 thereof as necessary, to be used for the purposes designated:
15 5 For enterprise resource management costs related to the
15 6 distribution of road use tax funds:
15 7 \$ 93,148

15 8 Sec. 23. IPERS == GENERAL OFFICE. There is appropriated
15 9 from the Iowa public employees' retirement system fund to the
15 10 Iowa public employees' retirement system for the fiscal year
15 11 beginning July 1, 2008, and ending June 30, 2009, the
15 12 following amount, or so much thereof as is necessary, to be
15 13 used for the purposes designated:
15 14 For salaries, support, maintenance, and other operational
15 15 purposes to pay the costs of the Iowa public employees'
15 16 retirement system:
15 17 \$ 17,313,766

15 18 Sec. 24. NEW SECTION. 537.3312 GIFT CERTIFICATES == FEES
15 19 EXPIRATION DATES == VIOLATIONS.

15 20 1. A gift certificate shall be redeemable for its full
15 21 value. A seller, issuer, or holder of a gift certificate
15 22 shall not do any of the following:
15 23 a. Assess, charge, or deduct a fee or other charge from or
15 24 with respect to a gift certificate.
15 25 b. Sell or issue a gift certificate that includes, bears,
15 26 or is otherwise subject to an expiration date.
15 27 c. Impose any other term or condition on a gift
15 28 certificate that would limit the ability of the owner to
15 29 redeem the gift certificate for its full value.

15 30 2. A violation of this section is an unfair practice under
15 31 section 714.16, and is additionally subject to the penalty
15 32 provisions of section 537.5201.

15 33 Sec. 25. Section 556.1, Code Supplement 2007, is amended
15 34 by adding the following new subsection:
15 35 NEW SUBSECTION. 4A. "Gift certificate" means a writing,
16 1 instrument, record, or other tangible medium of expression
16 2 generally purchased by a buyer for use by a person other than
16 3 the buyer, or for use by the buyer at a later date, for the
16 4 purchase of goods, property, services, or other consideration
16 5 sold or provided by the seller or issuer and includes but is
16 6 not limited to any of the following:
16 7 a. An electronic card with a stored or banked dollar
16 8 value.
16 9 b. A merchandise credit.
16 10 c. A certificate or card exchangeable for the full face
16 11 value of a future purchase or delivery of goods, property,
16 12 services, or any other consideration.
16 13 d. Any other medium that evidences a grant of

16 14 consideration in exchange for the right to redeem the
16 15 certificate for goods, property, services, credit, or money of
16 16 at least an equal value as that of the certificate.

16 17 Sec. 26. Section 556.9, subsection 2, Code 2007, is
16 18 amended by striking the subsection.

16 19 EXPLANATION

16 20 This bill relates to and appropriates moneys to various
16 21 state departments, agencies, and funds for the fiscal year
16 22 beginning July 1, 2008, and ending June 30, 2009. The
16 23 division makes appropriations to state departments and
16 24 agencies including the department of administrative services,
16 25 auditor of state, Iowa ethics and campaign disclosure board,
16 26 department of commerce, offices of governor and lieutenant
16 27 governor, Terrace Hill quarters and drug control policy
16 28 office, department of human rights, department of inspections
16 29 and appeals, department of management, Iowa public employees'
16 30 retirement system, secretary of state, treasurer of state, and
16 31 department of revenue. The bill also appropriates funding for
16 32 the state's membership in the national governors association.

16 33 New Code section 537.3312, under the consumer credit code,
16 34 provides that a seller or issuer of a gift certificate shall
16 35 redeem the gift certificate at full value and shall not assess
17 1 a fee with respect to the gift certificate, include an
17 2 expiration date, or impose any condition on the ability of the
17 3 owner to redeem the gift certificate. The bill provides that
17 4 a violation of this new section is an unfair practice for
17 5 purposes of consumer frauds and also subjects the violator to
17 6 the penalty provision of Code section 537.5201 under the
17 7 consumer credit code. Code section 556.9, subsection 2,
17 8 concerning gift certificates, which provided that an issuer of
17 9 a gift certificate shall not deduct any charge from the value
17 10 of the gift certificate unless a written contract exists which
17 11 imposes such a charge, is stricken.

17 12 LSB 5010XG 82

17 13 ec/mg/5.2